

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
March 6, 2023

A **Special Meeting** of the City Council of the City of Avondale, Arizona was convened at 11465 West Civic Center Drive in open and public session at 5:30 p.m.

Members Present: Mayor Kenn Weise; Vice Mayor Mike Pineda; Council Members Tina Conde, Veronica Malone, Curtis Nielson, Gloria Solorio and Max White.

Members Absent: None.

Other Municipal Officials Present: Ron Corbin, City Manager; Cherlene Penilla, Assistant City Manager; Tracy Stevens, Assistant City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Margaret Carey, Deputy City Clerk; Ken Chapa, Economic Development Services Director; Barbara Coppage, City Auditor; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Ted Flores, Acting Human Resources Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Public Safety Chief; Mark Neerings, Assistant Chief Information Officer; Jodie Novak, Development Services Director; Abril Ruiz-Ortega, Court Administrator; Larry Rooney, Fire Chief; Pier Simeri, Marketing and Public Relations Director; Aric Stewart, Engineering Director; and Renee Weatherless, Finance and Budget Director.

Audience: Approximately fifteen members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. VALLEY OF THE SUN UNITED WAY PRESENTATION

Laura Kaiser, Chief Corporate Relations & Brand Officer of Valley of the Sun United Way, provided an update to City Council regarding the 2022 Employee Giving Campaign. This item was for discussion only.

Marcella Carrillo, City Clerk, introduced Laura Kaiser, who joined United Way in 2008 as Corporate Development Officer and grew her career by leading the development of the organization. Ms. Kaiser is a graduate of UA and remains engaged with the Eller School of Management and Valley Leadership.

Ms. Kaiser, along with Megan Epley, Corporate Relations Manager for United Way expressed their gratitude to the City of Avondale for their longstanding and dedicated partnership with United Way to include the Employee Campaign with 100% participation to raise \$122,000. Those who acted in a leadership role stood to be recognized.

The partnership with the City of Avondale is a model that shows what true partnership means for creating a better community through collaboration together. The City of

Avondale and United Way align with the Strategic Plan especially for the following initiatives.

1. Read on Avondale, that provides tools to ensure a child is reading by 3rd grade.
2. Read Better Be Better, where 6th grade students mentor 3rd grade students in reading
3. Sonar Initiative
4. Project Connect addresses barriers to prevent homelessness and safety
5. Read Across America

Mayor Weise and Council Members offered their gratitude to City employees for their creative involvement and support of United Way and United Way for how they give back to the community through multiple necessary initiatives.

3. SWEARING-IN AND BADGE-PINNING CEREMONY

Mr. Larry Rooney was sworn in as the new Fire Chief of the City of Avondale. This item was for discussion only.

4. ADJOURNMENT

There being no further business before the Council, Council Member White moved to adjourn the Special Meeting; Council Member Conde seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

Meeting adjourned at 5:50 p.m.

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened at 11465 West Civic Center Drive in open and public session at 6:02 p.m.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection.

Members Present: Mayor Kenn Weise; Vice Mayor Mike Pineda; Council Members Tina Conde, Veronica Malone, Curtis Nielson, Gloria Solorio and Max White.

Members Absent: None.

Other Municipal Officials Present: Ron Corbin, City Manager; Cherlene Penilla, Assistant City Manager; Tracy Stevens, Assistant City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Liz Barker Alvarez, Intergovernmental Affairs

Administrator; Kirk Beaty, Public Works Director; Margaret Carey; Deputy City Clerk; Ken Chapa, Economic Development Services Director; Barbara Coppage, City Auditor; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Ted Flores, Acting Human Resources Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Public Safety Chief; Mark Neerings, Assistant Chief Information Officer; Jodie Novak, Development Services Director; Larry Rooney, Fire Chief; Pier Simeri, Marketing and Public Relations Director; Aric Stewart, Engineering Director; and Renee Weatherless, Finance and Budget Director.

Audience: Approximately five members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

Brother Steven Gerard Sapolsky of the 3rd Order of St Francis, addressed City Council stating the Arizona March for Life at the State Capital was successful and encouraged all to research the march to learn about the speakers. The Supreme Court declared new Dobbs rules of law, however, anyone can claim personhood within a charter city.

3. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

Mayor Weise asked if any Council Member wished to have an item removed from the Consent Agenda. Council Member White requested agenda item 3b be pulled for separate consideration and Council Member Malone requested agenda item 3h be pulled for separate consideration.

Motion was made by Council Member White, seconded by Council Member, to approve the Consent Agenda with the exception of agenda item 3b and 3h.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

a. MINUTES

City Council approved the February 06, 2023 City Council meeting minutes.

b. SERIES 7 (BEER AND WINE BAR) LIQUOR LICENSE - VALLEY GOLF CENTER

City Council recommended approval to the Arizona Department of Liquor License and Control of an application for a Series 7 (Beer and Wine Bar) Liquor License submitted by Jeffrey Craig Miller for the sale of alcohol at Valley Golf Center located at 12247 West Indian School Road in Avondale and authorized the City Clerk to execute the necessary documents.

c. PARK 10 PHASE 4 – RE-PLAT – APPLICATION PL-22-0106

City Council approved a request by Jeff D. Behrana of Optimus Design Group, on behalf of the property owner Gunbo LLC, for approval of a Re-Plat for Park 10 Phase 4. The proposed Re-Plat divides 9.81 acres of undeveloped land into four (4) lots. The property is located approximately 1,200 feet east of the southeast corner of McDowell Road and 107th Avenue.

d. RESOLUTION 1014-0323 – INTERGOVERNMENTAL AGREEMENT WITH VARIOUS AGENCIES FOR AND ON BEHALF OF ARIZONA STATE UNIVERSITY FOR THE RIO REIMAGINED PROJECT

This item was pulled from the consent agenda to be considered separately. Full discussion and vote are listed below.

e. ORDINANCE 2015-0323 – ACCEPTANCE OF DEDICATION OF PUBLIC UTILITY EASEMENTS FROM BROOKFIELD LAKIN, LLC

City Council adopted Ordinance 2015-0323 authorizing the acceptance of dedication of public utility easements along El Mirage Road from Brookfield Lakin, LLC, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. ORDINANCE 2016-0323 – ACCEPTANCE OF DEDICATION OF PUBLIC DRAINAGE EASEMENTS FROM BROOKFIELD LAKIN, LLC

City Council adopted Ordinance 2016-0323 authorizing the acceptance of dedication of public drainage easements along El Mirage Road from Brookfield Lakin, LLC, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

g. ORDINANCE 2017-0323 – ACCEPTANCE OF DEDICATION OF PUBLIC SIDEWALK EASEMENTS FROM BROOKFIELD LAKIN, LLC

City Council adopted Ordinance 2017-0323 authorizing the acceptance of dedication of public sidewalk easements along El Mirage Road from Brookfield Lakin, LLC, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

h. ORDINANCE 2018-0323 - LOWER BUCKEYE ROAD AND EL MIRAGE ROAD RIGHT-OF-WAY ANNEXATION

This item was pulled from the consent agenda to be considered separately. Full discussion and vote is listed below.

i. ORDINANCE 2019-0323 - REPEAL AND REPLACE ORDINANCE 2068-1222 FOR LOWER BUCKEYE ROAD RIGHT-OF-WAY ANNEXATION

City Council repealed and replaced Ordinance 2068-1222 and adopted Ordinance 2019-0323 to correct the legal description previously approved authorizing the annexation of a portion of Lower Buckeye Road right-of-way from 4th Street to Litchfield Road and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

j. ORDINANCE 2020-0323 - ACQUISITION OF REAL PROPERTY FOR PUBLIC USE AS A PUBLIC SAFETY FACILITY

City Council adopted Ordinance 2020-0323 authorizing the acquisition, by dedication, purchase, or condemnation of real property for public use as a public safety facility and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

THE FOLLOWING ITEMS WERE PULLED FROM THE CONSENT AGENDA TO BE VOTED ON SEPARATELY:

d. RESOLUTION 1014-0323 - INTERGOVERNMENTAL AGREEMENT WITH VARIOUS AGENCIES FOR AND ON BEHALF OF ARIZONA STATE UNIVERSITY FOR THE RIO REIMAGINED PROJECT

City Council considered a request to adopt Resolution 1014-0323, approving an Intergovernmental Agreement with the City of Buckeye, the City of Goodyear, the City of Mesa, the City of Phoenix, the City of Tempe, the Gila River Indian Community, the County of Maricopa, the Salt River Pima-Maricopa Indian Community, the Salt River Project Agricultural Improvement and Power District, the Maricopa Association of Governments, and the Arizona Board of Regents for and on behalf of Arizona State University; relating to the engagement of an outside consultant to represent the Rio Reimagined Project and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Bryan Hughes, Parks and Recreation Director, stated the Rio Reimagined IGA is a culmination of five years of work that began in 2018 when the City of Avondale signed onto a coalition with ten partners the Salt River, previously known as the Rio Salado Reimagined. Steps were taken to see a new vision for conservation and development along the Rio Salado and Gila Rivers that span 58 miles from the Granite Reef Dam to State Route 85 in Buckeye. In 2021, the Environmental Protection Agency designated the Rio Reimagined project a 20th Urban Waterway of America, which opened access to Federal funds to assist with the rehabilitation of the river's corridors.

The goal of the initial four-year IGA is to appoint an ambassador to be the liaison to the Federal Government and assist with the red tape. This position is estimated to cost \$15,000 per year and would be funded by all the 11 partners listed in the IGA and contracted with MAG. All funding would go to MAG and be overseen by an advisory board.

A short video about the project was screened for Council Members.

In response to questions from Council Members, Mr. Hughes stated the Gila River Indian Community has not joined but are anticipated to upon some amendments to the agreement. The Lower Gila Valley River Consortium is a subgroup acting in concert with the Rio Reimagined project seeking Federal grants that allow them to get a jump start on the vision for this area.

Mayor Weise stated this was a vision of Senator McCain which Mayors Lord and Meck were integral in getting started. As Mr. Hughes stated, \$15,000 per year with MAG and ASU overseeing it makes sense for Avondale. When the project comes to Avondale, City Council will make decisions going forward.

Council Member White moved to adopt Resolution 1014-0323, approving an Intergovernmental Agreement with the City of Buckeye, the City of Goodyear, the City of Mesa, the City of Phoenix, the City of Tempe, the Gila River Indian Community, the County of Maricopa, the Salt River Pima-Maricopa Indian Community, the Salt River Project Agricultural Improvement and Power District, the Maricopa Association of Governments, and the Arizona Board of Regents for and on behalf of Arizona State University; relating to the engagement of an outside consultant to represent the Rio Reimagined Project and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Vice Mayor Pineda seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

h. ORDINANCE 2018-0323 - LOWER BUCKEYE ROAD AND EL MIRAGE ROAD RIGHT-OF-WAY ANNEXATION

City Council considered a request to adopt Ordinance 2018-0323 authorizing the annexation of portions of Lower Buckeye Road and El Mirage Road right-of-way and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Council Member Malone stated this has been a long time coming and will provide safe walking and crossing in that area. She thanked the staff for their hard work.

Council Member Malone moved to adopt Ordinance 2018-0323 authorizing the annexation of portions of Lower Buckeye Road and El Mirage Road right-of-way and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Council Member Conde seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

4. REGULAR AGENDA

a. PUBLIC HEARING – CONDITIONAL USE PERMIT FOR KIDS BLVD CHILD CARE CENTER – APPLICATION PL-22-0226

City Council held a public hearing and considered a request by Sahib Singh, GM Capital Investments LLC, for approval of a Conditional Use Permit (CUP) to allow for the operation of a childcare center. The 2.58-acre subject property is located approximately 800 feet west of the southwest corner of Van Buren Street and Avondale Boulevard.

Catherine Lorbeer, Deputy Director of Planning presented City Council with an overview of the Conditional Use Permit (CUP) for the Kids BLVD Childcare Center.

- The site is approximately 2.5 acres and part of the Coldwater Springs Promenade, located 800 feet west of the southwest corner of Van Buren and Avondale Blvd.
- General Plan property designation is Promenade District
- Current zoning is Coldwater Springs PAD, which allows childcare centers
- The childcare will operate Monday through Friday from 6:00 a.m. to 6:00 p.m. with staggered drop-off and pick-up schedules and estimated enrollment of 172 children.
- The north and south parking area and outdoor play areas are shown on the Conceptual Site plan.
- The Conceptual Landscape Plan shows perimeter planting and trees, a six-foot block wall and buffer of trees along the southern boundary of the playground
- The Conceptual Building Design complements the existing shopping area.
- A detailed site plan and design review will begin upon Council's approval of the CUP.
- The CUP meets all five findings within the City's Zoning Ordinance.
- A neighborhood meeting was held in October 2022 with two members of the public in attendance with no concerns raised.
- In February 2023 the Planning Commission conducted a public hearing with concerns raised about access, traffic turning, potential roadway improvements, and proximity to

existing residential uses. The Planning Commission recommended the CUP application number PL-22-0226 to allow Kids BLVD Childcare Center in Coldwater Springs PAD subject to three conditions.

- The existing facilities were appropriate to support the proposed childcare use
- Code requires a 50-foot setback to residential and the building is 123 feet north and the playground is 70 feet away.

Mayor Weise opened the public hearing and received one request to speak from Gerardo Gonzales, who stated his concern is with cars parking along the wall and suggested a buffer zone and having the cars park elsewhere.

Mayor Weise closed the public hearing and opened the floor for comments from Council.

Mayor Weise stated homeowners have made prior complaints related to semi-trucks parking there and inquired if the applicant is willing to designate the back parking lot as employee only parking. Ms. Lorbeer provided photos depicting the existing parking and landscaping and felt the back parking spaces would be sufficient for the employees.

In response to Council Member questions, Kenneth Eller with Archi-CAD Architects stated he specializes in preschools and is a reviewer for DHS. He provided a detailed overview of the proposed car park for employees and parents for drop-off and pick-up which will occur during operating hours, which includes spaces around the north curb. There are two entrances, one off west of Banner Health and one next to the Lams Market. Food deliveries will be made once a week or biweekly using the third entrance. A discussion ensued pertaining to the parking arrangements and access to the site, noting parents can only enter on the north side of the building where there is a secure entrance, in accordance with DHS regulations.

Chief Espinoza stated prohibited parking signs exist on the property and officers issue warnings or summons when someone is parked there. Unfortunately, where this is a vacant lot and isolated it is a continuous challenge that will hopefully be mitigated once it is no longer a vacant lot.

In response to questions from Mayor Weise, Mr. Eller stated the lighting in the back of the building is shielded and intended only to light the walkway.

Mayor Weise asked for employee designated signage to be installed and for deliveries and trash pick up not occur until after 8:00 a.m. to eliminate the noise in the early morning hours.

Council Member Conde moved to approve Application PL-22-0226 Kids BLVD Childcare Center, a request for approval of a Conditional Use Permit to allow for the operation of a childcare center approximately 800 feet west of the southwest corner of Van Buren Street and Avondale Boulevard, subject to three (3) conditions of approval as listed in the staff report; Council Member Malone seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

b. USE OF ONE ARIZONA DISTRIBUTION OF OPIOID SETTLEMENT FUNDS

City Council considered a request to: a) approve the use of the yearly One Arizona Distribution of Opioid Settlement Funds for the education and prevention of the use and misuse of opioids in the community; b) authorize staff to process the necessary budget transfers; and c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Dale Nannenga, Chief of Public Safety provided City Council with an overview of the status of the settlement funds, statistics in Avondale compared to state, national, and local levels, status since developing strategies and action items, current actions occurring within the City, and recommended use of the One Arizona Distribution of Opioid Settlement funds.

The pin map shows that over the last two years, there isn't one community or neighborhood that hasn't been touched by the opioid crisis. In 2021 there were 107,000 deaths from opioid and fentanyl use across the U.S. In 2022 there were 3,400 nonfatal overdoses and 1,819 fatal overdoses in Arizona, with 145 nonfatal overdoses and 14 fatal overdoses in Avondale.

In November 2021, the City Council approved Avondale to join the Arizona settlement discussions that were part of a national settlement. The agreement was finalized in 2022 and resolved litigation with pharmaceutical distributors. The settlement provided 56% of the funds to local governments within Arizona, with Maricopa County receiving an estimated \$80 million. The factors used to determine the amount of funds included the number of opioids shipped to the region, the number of opioid deaths, and the number of people suffering from opioid use disorder. To date Avondale has received \$161,290.

The One Arizona Settlement funds can only be used on treatment, prevention, other strategies, such as initiatives for first responders, leadership planning, coordination, training, or research. The Executive City Management Team's direction was to come up with strategies and action items that focused on prevention and education.

A team was developed consisting of the Police Department, Neighborhood and Family Services, the Office of Public Safety, marketing and Public Relations Department, and the Fire and Medical. The team decided to work on proactive actions within the community.

- Education awareness - create campaigns that can be put on social media, and online that focus on youth programs. The Police Department is developing strategies and action items to reach out to the community and bring awareness to the opioid problem.
- Prevention and Intervention - reach out to the vulnerable community members who need extra support to obtain the tools necessary to break the addiction cycle.

Existing initiatives include:

- A K-9 specifically trained for fentanyl detection
- Attending KidFest on April 8 to offer pamphlets, education, and giveaways to bring awareness to the community.
- Developing partnerships with Littleton and Avondale Elementary schools to educate and work with the young people in the community.
- Naloxone (Narcan) training for City employees, which is a directive from the Executive
- Avondale Detectives, while working with Federal, State, and local partners seized 22 pounds of fentanyl, equivalent to 5.5 million fatal doses.

In response to Council Member questions, Mr. Nannenga stated in his experience fentanyl is not being produced in the U.S. and is being manufactured and brought across the border from countries such as Mexico and India. One of the team's strategies is to educate parents and make them aware of things they can look for at home and stop the use before it happens. The K-9 is still being trained and is expected to join the police department in five to six weeks. The 22 pounds of fentanyl were seized using other tactics. Another part of this program is to determine how to help city employees if they are exposed to an opioid.

Council Member Conde suggested partnering with the Kiwanis and Rotary clubs to help get the message out to children and parents to be proactive and "scare them straight". Council Member Solorio discussed obtaining training so community members would be able to assist those in need. Council Member Nielson stated it is important to get the information out there, because saving one person can make a difference. Council Member White shared her experience during a ride-along with the Police Department and the need for education and protection of the community members and the police officers who deal with these situations.

Mayor Weise asked for City Council to be provided with Naloxone training opportunities. He suggested including charter and private schools when providing education for the youth. Border enforcement is a key component to keeping the opioids from coming into the country.

Council Member White moved to approve the use of the opioid settlement funds for the education and prevention of the use and misuse of opioids in the community; authorize staff to process the necessary budget transfers; and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Council Member Nielson seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

5. ADJOURNMENT

There being no further business before the Council, Council Member White moved to adjourn the Regular Meeting; Council Member Nielson seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

Meeting adjourned at 7:16 p.m.


[kenn weise \(Apr 17, 2023 19:18 PDT\)](#)

Kenn Weise, Mayor

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting and Regular Meeting of the Council of the City of Avondale held on the 6th day of March 2023. I further certify that the meeting was duly called and held, and that the quorum was present.



Marcella Carrillo, City Clerk

April 17, 2023

Date Approved by City Council